



North Dakota Department of Health HIPAA Policy

Policy Title:	De-identified Health Information	
Policy Number:	P-006	Version: 1.0
Reference:	45 CFR 164.502(d); 45 CFR 164.514(d)	
Applicability:	Department of Health	
Approved By:	Dr. Terry Dwelle, State Health Officer Arvy Smith, Deputy State Health Officer Darleen Bartz, HIPAA Coordinator, Privacy Officer	
Effective Date:	April 14, 2003 Policy Repealed Effective January 31, 2004	

Policy:

The NDDoH may disclose de-identified health information without the written authorization of the individual when the health information does not identify an individual and there is no reasonable basis to believe that the information can be used to identify an individual.

Exceptions:

Per NDDoH discretion, de-identified information may be disclosed to any individual.

Procedure:

- The NDDoH may use protected health information to create information that is not individually identifiable health information or disclose protected health information only to business associate for such purpose.
- The NDDoH may determine that health information is not individually identifiable health information if the following identifiers of the individual or of relatives, employers, or household members of the individual, are removed and if the NDDoH does not have knowledge that the information could be used alone or in combination with other information to identify the individual:
 - Names
 - All geographic subdivisions smaller than a State, including street address, city, county, precinct, zip code, and their equivalent geocodes, except for the initial three digits of a zip code if, according to the current publicly available data from the Bureau of the Census:
 - The geographic unit formed by combining all zip codes with the same three initial digits contains more than 20,000 people; and
 - The initial three digits of a zip code for all such geographic units containing 20,000 or fewer people is changed to 000.
 - All elements of dates (except year) for dates directly related to an individual, including birth date, admission date, discharge date, date of death, and all ages over

- 89 and all elements of dates (including year) indicative of such age, except that such ages and elements may be aggregated into a single category of age 90 or older
 - Telephone numbers
 - Fax numbers
 - Electronic mail addresses
 - Social security numbers
 - Medical record numbers
 - Health plan beneficiary numbers
 - Account numbers
 - Certificate/license numbers
 - Vehicle identifiers and serial numbers, including license plate numbers
 - Device identifiers and serial numbers
 - Web Universal Resource Locators (URLs)
 - Internet Protocol (IP) address numbers
 - Biometric identifiers, including finger and voice prints
 - Full face photographic images and any comparable images
 - Any other unique identifying number, characteristic or code
- The NDDoH may also determine that health information is not individually identifiable health information if:
 - A person within the NDDoH who has appropriate knowledge and experience with statistical and scientific principles and methods for rendering information not individually identifiable:
 - Determines that the risk is very small that the information could be used, alone or in combination with other reasonably available information, by an anticipated recipient to identify an individual who is a subject of the information; and
 - Documents the methods and results of the analysis that justify such determination.
 - The Privacy Review Board will review if the above criterion is not met.
- The NDDoH may assign a code or other means of record identification to allow information de-identified to be re-identified if:
 - The code or other means of record identification is not derived from or related to information about the individual and is not capable of being translated in order to identify the individual;
 - The code or other means is not used for any other purpose and does not disclose the mechanism for re-identification.

Related Forms:

De-identification Checklist

Definitions:

NDDoH – North Dakota Department of Health

Protected Health Information – Individually identifiable health information that is transmitted or maintained by electronic media or transmitted or maintained in any other form or medium

Individually Identifiable Health Information – Health information which includes demographic information that relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual and that identifies the individual or there is a reasonable basis to believe the information can be used to identify the individual

Electronic Media – Electronic storage media including memory devices in computers and any removable/transportable digital memory medium such as magnetic tape or skid, optical disk or digital memory card; or transmission media used to exchange information already in electronic storage media. Transmission media includes the internet, extranet, leased lines, dial-up lines, private networks and the physical movement of removable/transportable electronic storage media